

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**VERONICA GRIMM,**

Plaintiff,

v.

**GPG PROCESSING, LLC, *et al.*,**

Defendant.

**Case No. 2:18-cv-1522**

**Judge Graham**

**Magistrate Judge Vascura**

**ORDER**

This matter is before the Court for consideration of the August 15, 2019, Report and Recommendation of Magistrate Judge Vascura (ECF No. 25) to whom this case was referred pursuant to 28 U.S.C. § 636(b)(1). (ECF No. 23.) Magistrate Judge Vascura considered Plaintiff Veronica Grimm’s (“Plaintiff”) Motion for Default Judgment (ECF No. 22) against Defendants GPG Processing, LLC d/b/a Revenue Management Group LLC (“RMG”) and Gregory Hopkins (“Hopkins”) for violations of the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. § 1692 *et seq.*; the Racketeering Influenced Corrupt Organizations Act (“RICO”), 18 U.S.C. §1961 *et seq.*; the Ohio Corrupt Practices Act (“OCPA”), Ohio Rev. Code § 2923.21 *et seq.*; and Ohio common law. After considering Plaintiff’s Motion for Default Judgment and the accompanying exhibits submitted, Magistrate Judge Vascura recommended that Plaintiff’s motion be granted in part and denied in part. (*Id.* at 178.)

Specifically, Magistrate Judge Vascura recommended that the Court: (1) enter default judgment against Defendants RMG and Hopkins, on liability only, for violation of the FDCPA and invasion of privacy; (2) enter default judgment against Defendant RMG, on liability only, for defamation; (3) deny without prejudice Plaintiff’s Motion for Default Judgment as it relates to

damages for violation of the FDCPA, invasion of privacy, and defamation and conduct an evidentiary hearing to determine the proper amount of damages; and (4) deny Plaintiff's Motion for Default Judgment as it relates to her RICO and the OCPA claims. (*Id.* at 194.)

For the reasons set forth below, the Court **ADOPTS** the Report and Recommendation issued by Magistrate Judge Vascura (ECF No. 25), and Plaintiffs' Motion for Default Judgment (ECF No. 22) is therefore **GRANTED IN PART AND DENIED IN PART**.

The Report and Recommendation specifically advised the parties that failure to object to the Report and Recommendation within fourteen (14) days "will result in a waiver of the right to have the District Judge review the Report and Recommendation *de novo*, and also operates as a waiver of the right to appeal the decision of the District Court adopting the Report and Recommendation." (ECF No. 25 at 195.) The August 29, 2019 deadline for filing objections to the Report and Recommendation has since expired, and no party has objected to the Report and Recommendation.

Accordingly, **DEFAULT JUDGMENT SHALL BE ENTERED** against Defendants RMG and Hopkins on Plaintiff's FDCPA and invasion of privacy claims, and **DEFAULT JUDGMENT SHALL BE ENTERED** against Defendant RMG on Plaintiff's defamation claim. The Court will defer entry of final judgment on these claims pending the results of a hearing held pursuant to Fed. R. Civ. P. 55(b)(2)(B) concerning the amount of damages. In accordance with 28 U.S.C. § 636(b), the Court designates Magistrate Judge Vascura to conduct that hearing. The Court **DENIES** Plaintiff's Motion for Default Judgment as it relates to her RICO and the OCPA claims. The Court agrees with Magistrate Judge Vascura's analysis that Plaintiff's complaint fails to adequately plead claims under RICO and the OCPA. Therefore, the Court *sua sponte* **DISMISSES** those claims.

**IT IS SO ORDERED.**

/s/ James L. Graham  
JAMES L. GRAHAM  
United States District Judge

DATE: September 5, 2019